

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,

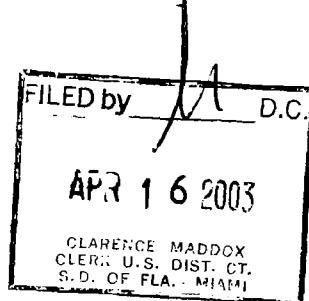
CASE NO. 00-6309-CR-SEITZ

Plaintiff,

v.

JOSEPH SPITALERI,

Defendant.



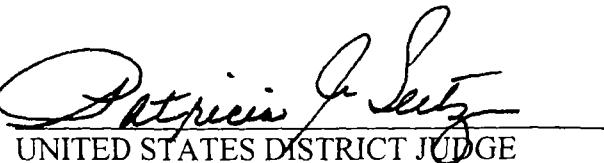
**ORDER ON DEFENDANT'S UNOPPOSED  
MOTION TO MODIFY PRESENTENCE INVESTIGATION REPORT**

THIS CAUSE having come on to be heard upon Defendant's Unopposed Motion to Modify Presentence Investigation Report, and the Court having considered said Motion, and being otherwise fully informed of the premises, it is hereby

**ORDERED AND ADJUDGED** that said Motion is hereby GRANTED. Paragraph 71 of the Presentence Investigation Report shall be modified, and State, as follows: Mr. Spitaleri relapsed in late November/early September of 2001, just prior to his first scheduled surrender date. Mr. Spitaleri used heroin on an almost daily basis, spending between \$50.00 and \$100.00 per day on obtaining the drug. Mr. Spitaleri would snort the heroin, or shoot same into his veins. As previously set forth in the PSI, Mr. Spitaleri contracted Hepatitis C from his intravenous drug use. At times, Mr. Spitaleri would withdraw money from his 84 year old mother's bank account to support his drug habit. Mr. Spitaleri's drug addiction caused frequent arguments between him and his family. Also, Mr. Spitaleri's work and home life were severely affected by his drug use. Mr. Spitaleri would often fall asleep through out the day as a result of his drug usage. Mr.

Spitaleri resorted to smoking 2 to 3 packs of cigarettes per day and reports, on at least one occasion, falling asleep with a cigarette in his hand.

**DONE AND ORDERED** in Chambers, at Miami-Dade County, Florida, this 16<sup>th</sup> day of April, 2003.

  
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UNITED STATES DISTRICT JUDGE

Copies furnished to:

Brian H. Bieber, Esq.  
Brian McCormick, AUSA  
Tracey L. Webb, USP